



# **Telecommunications Oversight 2017: A State Perspective**

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## Today's discussion will cover . . .

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- Status of State oversight of wired and IP-enabled telecommunications - 2017
  - Limits on wireline oversight – legislation and commission rulemakings
  - Limits on oversight of IP-enabled services – including VoIP
  - 2017 legislation
- The 2017 NRRI Regulation Survey – key findings
  - Deregulation doesn't necessarily mean no regulation
  - Oversight persists in key areas – carrier certification, emergency services, customer complaints
- Areas for state focus going forward



## Survey findings: Telecommunications Oversight: 2017

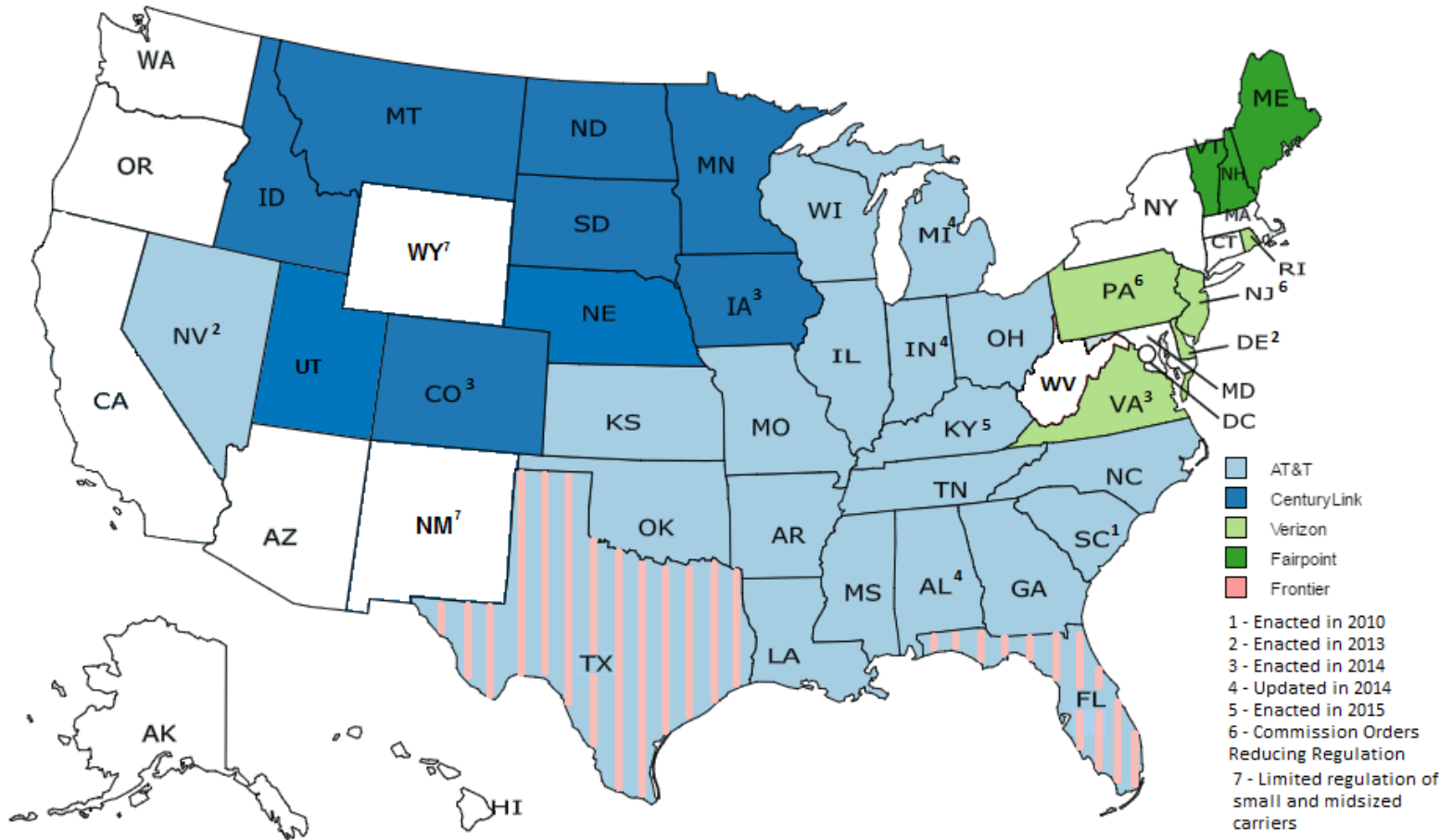
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- 47 states responded to the NRRI survey
- 38 states have reduced or limited jurisdiction over wireline telecommunications
  - 35 states legislated limitations on oversight
  - 3 states (Iowa, Pennsylvania, New Jersey) limited oversight via commission proceedings
- 40 states have limited jurisdiction over IP-enabled service
  - 34 states have passed legislation or rules limiting oversight
  - 6 states have chosen not to exercise jurisdiction
  - Litigation is pending in Minnesota and Vermont
- 6 states passed new or updated legislation limiting regulation
  - Arizona, Illinois, Kentucky, New Mexico, Utah, and West Virginia
- Despite deregulatory legislation, oversight persists in key areas



# 2017 Oversight Map

## Wireline Deregulation Status: 2017

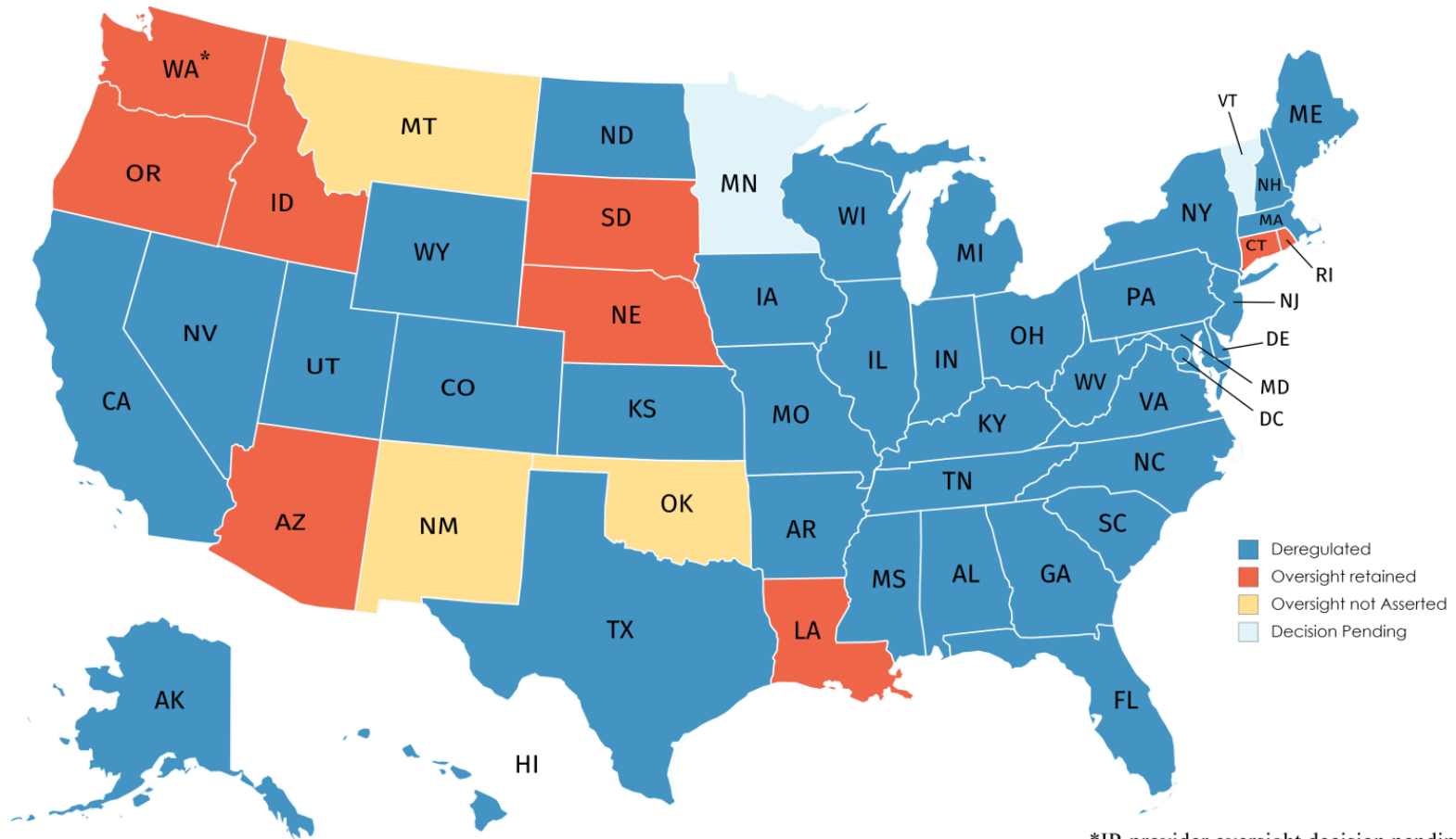


Source: Author's construct, data from Legiscan.



# Oversight of IP-enabled Services - 2017

## IP-Enabled Services Oversight: 2017



\*IP-provider oversight decision pending



## State legislatures continued to address telecommunications oversight in 2017

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- **Arizona SB 1217**
  - Oversight continues but regulation must be “technology neutral”
- **Illinois Act 100-20**
  - Roadmap for the transition to IP-enabled service
- **Kentucky HB 152**
  - Extend oversight reductions across entire state
- **New Mexico SB 53**
  - Extend limitations on Commission oversight to large providers
- **Utah HB 59**
  - Eliminate oversight in areas with “effective competition”
- **West Virginia SB 180**
  - Limit commission oversight of IP-enabled services, including “services that provide voice, data, and video”
  - Removes Commission jurisdiction of intra-company asset sales



## Survey responses paint a more nuanced oversight picture

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- Reduced regulation is not NO regulation
  - Changes in technology have limited but not removed all oversight
  - State PUCs exert oversight in key customer-facing areas
- Retail oversight
  - Carrier certification/registration
  - Emergency services
  - ETC and Lifeline designation
  - USF contribution
  - Consumer complaints
- Wholesale oversight
  - Interconnection
  - Carrier disputes
  - Other FCC-designated areas



## VoIP providers must register to obtain access to rights of way, numbering, and other state services

<b>VoIP carrier registration required</b>	CA, GA, HI, ID, IL, IN, KY, LA, ME, MI, MO, MT, ND, NE, NJ, OH, PA, RI, SC, SD, WA, WV, WI
<b>Optional registration</b>	AZ, CO, FL, NH, NV
<b>No VoIP registration requirement</b>	AK, AL, AR, DC, DE, KS, MA, MD, MS, NY, OK, TX, UT, VA, WY
<b>Other registration type</b>	OR (License)
<b>Decision pending</b>	MN, VT





# Oversight of service quality persists, but is more limited for VoIP

## Wireline Quality of Service Oversight

<b>Quality of service oversight (23)</b>	AL, AK, AZ, CA, DC, GA, KY, LA, MD, MA, MN, MS, MT, NE, NV, NM, ND, OR, SD, UT, VT, WA , WV
<b>Limited oversight (9)</b>	CO, IL, ME, MO, NY, OH, OK, PA, WY
<b>No oversight (15)</b>	AR, DE, FL, HI, IA, IN, KS, MI, NH, NC, RI, SC, TX, VA, WI

## VoIP Quality of Service Oversight

<b>Quality of service oversight (5)</b>	GA, LA, MT, ND, SD
<b>Limited oversight (4)</b>	AZ (Voice), CO (HCS), NV (w/CPCN), SC (w/CPCN)
<b>No oversight (36)</b>	AL, AK, AR, CA, DE, DC, FL, HI, IA, IL, IN, KS, KY, ME, MD, MA, MI, MO, MS, NE, NH, NY, NM, NC, OH, OK, OR, PA, RI, TX, UT, VA, WA, WV, WI, WY
<b>Pending decision (2)</b>	MN, VT



## 43 states retain wireline complaint oversight

<b>Process wireline complaints (10)</b>	AK, AR, DC, MO, ND, NY, OH, PA, VA, WV
<b>Refer complaints (18)</b>	AL, CO, FL, GA, IA, IL, KY, LA, MA, MD, MI, MS, NH, NM, OR, RI, SC, WY
<b>Refer/adjudicate complaints (12)</b>	AZ*, CA, IN, MN, MT, NE, NV, OK, SD, UT, VT, WA
<b>Limited (3)</b>	KS, ME**, WI***
<b>No oversight (3)</b>	DE, HI, NC, TX
<b>No response (4)</b>	CT, ID, NJ, TN

\* AZ may refer complaints to the state AG

\*\*ME adjudicates complaints only against carriers of last resort

\*\*\*WI limited to complaints about Lifeline and numbering



## 22 States retain at least some oversight of VoIP complaints

<b>Process VoIP complaints</b>	SD, WA
<b>Refer complaints</b>	AL, AZ, FL, GA, IA, LA, ND, NE, NH, OH, OR, RI, VA
<b>Refer/adjudicate complaints</b>	MT
<b>Limited to BLS and Lifeline</b>	CO, MO, NV, PA, SC, WI
<b>No oversight</b>	AK, AR, CA, DC, DE, HI, IL, IN, KS, MA, MD, ME, MI, MS, NC, NM, NY, OK, TX, UT, WV, WY
<b>Pending decision</b>	MN, VT



## Areas for State focus as the transformation to broadband networks continues

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- **Collect and evaluate customer complaint data**
  - Complaint data can identify problem areas that Commissions and companies need to resolve
  - Data may also identify areas where competition may not yet be an adequate substitute for regulation
- **Broaden outage reporting**
  - Use outage data to evaluate and improve service quality and reliability
- **Listen to customers and providers to identify and meet customer needs**
  - “Crowd source” consumer data to track service availability and reliability
  - Seek customer input on affordability